

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America, ex Rel., Mario
Humberto Figueroa, and Elmer Arnulfo
Figueroa,

Plaintiffs,

vs.

Covan World-Wide Moving, Inc. and Coleman
American Moving Services, Inc.,

Defendants.

C/A No. 3:12-cv-01144-JFA

ORDER

This matter is before the court on Defendants' Motion to Compel Deposition of Expert Leroy E. Strickland (ECF No. 204) and Plaintiffs' Second Motion for Emergency Relief and Amendment of the Scheduling Order (ECF No. 205), wherein the parties disagree about whether the deposition of Plaintiffs' expert, Leroy E. Strickland, should be continued because of Mr. Strickland's anticipated surgery. The Court has reviewed the briefs submitted by the parties and finds that the deposition of Mr. Strickland should proceed as scheduled on Monday, January 12, 2015. However, the Court orders that the deposition be conducted in Charleston, South Carolina, where Mr. Strickland is located, and must be limited to five (5) hours.

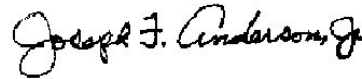
This decision is made, in part, due to the repeated delays already experienced in this case and the previously granted extensions given to accommodate the parties in their designation and disclosure of experts. While the Court sympathizes with Mr. Strickland's current medical complications, it appears Mr. Strickland's condition is currently managed with Advil, an over-

the-counter medication. The Court anticipates that Mr. Strickland will make a full recovery from his surgery; however, if Mr. Strickland's deposition was postponed and he unexpectedly required additional time for recovery, the entire scheduling of this matter, which is already constrained, would be in jeopardy. Given the advanced age of this case, the Court is reticent to continue granting extensions, especially in light of the March 4, 2015, trial date.

Therefore, the Court hereby **GRANTS** Defendants' Motion to Compel (ECF No. 204) and **DENIES** Plaintiffs' Motion for Emergency Relief and Amendment of the Scheduling Order (ECF No. 205).

IT IS SO ORDERED.

January 9, 2015
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge